

SEP 29 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty Dkt. 914-170

C# M#

NAKAYAMA

TC/A.U. 2814

Serial No. 10687,620

Examiner: Pham, L.

Filed: October 20, 2003

Date: September 29, 2005

Title: SEMICONDUCTOR DEVICES AND METHODS OF MANUFACTURE THEREOF

## FACSIMILE CERTIFICATE

I hereby certify that this Response and Amendment Transmittal is being transmitted by facsimile to the Patent and Trademark Office on September 29, 2005, specifically to 571-273-8300.



Signature

H. Warren Burnam, Jr.

Reg. No. 29,366

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No. of pages transmitted (including this cover sheet): 3 pages

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ Correspondence Address Indication Form Attached.

## Fees are attached as calculated below:

Total effective claims after amendment 53 minus highest number  
previously paid for 53 (at least 20) = 0 x \$50.00 \$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment 4 minus highest number  
previously paid for 4 (at least 3) = 0 x \$200.00 \$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)  
One Month Extension \$120.00 (1251)/\$60.00 (2251)

Two Month Extensions \$450.00 (1252)/\$225.00 (2252)

Three Month Extensions \$1020.00 (1253)/\$510.00 (2253)

Four Month Extensions \$1590.00 (1254)/\$795.00 (2254) \$

Terminal disclaimer enclosed, add

\$130.00 (1814)/\$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee

\$180.00 (1806) \$

Assignment Recording Fee

\$40.00 (8021) \$

Other:

\$

TOTAL FEE ENCLOSED \$ 0.00

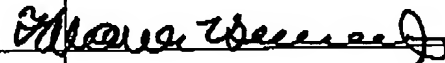
The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
HWB:ish

NIXON &amp; VANDERHYE P.C.

By Atty: H. Warren Burnam, Jr., Reg. No. 29,366

Signature:



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SEP 29 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

NAKAYAMA

Serial No. 10687,620

Filed: October 20, 2003

For: SEMICONDUCTOR DEVICES AND METHODS OF  
MANUFACTURE THEREOF

Confirm. No.: 4687

Atty. Ref.: 914-170

TC/A.U.: 2814

Examiner: Pham, L.

\* \* \* \* \*

September 29, 2005

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

Responsive to the Official Action dated July 12, 2005, please favorably consider the following remarks in conjunction with patentability of the pending claims.

Claims 1-20 stand rejected under 35 USC 103(a) as being unpatentable over U.S. Publication 2003/0059991 to Teramoto et al in combination with U.S. Publication 2004/0201874 to Yamazaki, U.S. Publication 2005/0148119 to Fujimura, U.S. Patent 4,584,025 to Takaoka et al and U.S. Publication 2003/0148565 to Yamanaka.

All prior art rejections are heavily premised upon U.S. Publication 2003/0059991 to Teramoto et al as the primary reference. However, U.S. Publication 2003/0059991 to Teramoto et al is not an effective reference since its US filing date of November 6, 2002 follows Applicant's earlier October 30, 2002 filing of parent application 10/283,359, priority of which has been claimed. It is therefore respectfully requested that U.S.

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NAKAYAMA  
Serial No. 10687,620

Atty Dkt: 914-170  
Art Unit: 2814

Publication 2003/0059991 to Teramoto et al be withdrawn as a reference. All existing prior art rejections are utterly destroyed by its removal

The undersigned notes that the Examiner has either not received or failed to return the PTO-1449 submitted in conjunction with the filing of this application on October 20, 2003. A copy of the October 20, 2003 PTO-1449 is submitted, along with proof of filing thereof. It is respectfully requested that the references listed on the October 20, 2003 PTO-1449 be considered and made of record.

In view of the foregoing and other considerations, all claims are deemed patentable over the art of record. A formal indication of allowability is earnestly solicited.

The Commissioner is authorized to charge the undersigned's deposit account #14-1140 in whatever amount is necessary for entry of these papers and the continued pendency of the captioned application. Should the Examiner feel that an interview with the undersigned would facilitate allowance of this application, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

H. Warren Burnam, Jr.  
Reg. No. 29,366

HWB:lsb  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

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